

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
Case No. 5:22-cv-0068-BO

YOLANDA IRVING, individually and as the  
natural parent and guardian of J.I., JUWAN  
HARRINGTON, CYDNEEA  
HARRINGTON, KENYA WALTON  
individually and as the natural parent and  
guardian of R.W., ZIYEL WHITLEY,  
DYAMOND WHITLEY, KAMISHA  
WHITLEY, NANETTA GRANT as the natural  
parent and guardian of Z.G., and  
EMANCIPATE NC, INC.,

*Plaintiffs,*

v.

THE CITY OF RALEIGH, Officer OMAR I.  
ABDULLAH, Sergeant WILLIAM ROLFE,  
Officer RISHAR PIERRE MONROE, Officer  
JULIEN DAVID RATTELADE, and Officer  
MEGHAN CAROLINE GAY, Officer DAVID  
MEAD, Officer JESUS ORTIZ, Officer KYLE  
PERRIN, Officer MICHEAL MOLLERE,  
Officer KYLE THOMPSON, Officer  
VINCENT DEBONIS, Officer DANIEL  
TWIDDY, Officer THOMAS WEBB, Officer  
DAVID MCDONALD, Officer DAVID  
GARNER, Chief of Police ESTELLA  
PATTERSON and City Manager MARCHELL  
ADAMS-DAVID, in their official capacities.

*Defendants.*

**ORDER GRANTING PLAINTIFFS' MOTION TO  
FILE EXHIBITS UNDER SEAL**

After reviewing Plaintiffs' motion requesting permission to file documents under seal, the Court makes the following findings:

1. On October 18, 2022, SEU Defendants filed a motion to dismiss Claim 8 (excessive force) pursuant to Federal Rule of Civil Procedure 12(b)(6). ECF No. 129.
2. Plaintiffs filed a response to Defendants' motion to dismiss on November 22, 2022. ECF No. 142.
3. Defendants filed their reply brief on December 6, 2022. ECF No. 145.
4. Defendants' reply brief included deposition testimony from one Plaintiff, Yolanda Irving. *Id.*
5. Plaintiffs filed a motion to strike the deposition testimony attached to Defendants' reply brief. ECF No. 174.
6. Plaintiffs brief in support of their motion to strike includes Exhibit A, which discusses some of the excessive force claims against Defendants and Exhibit B, which is the body camera footage of the warrant execution on Plaintiffs' homes.
7. These exhibits contain still shots and live video footage that was obtained pursuant to a protective order in Wake County Superior Court.

**IT IS THEREFORE ORDERED** that Plaintiffs may file Exhibits A and B of their motion to strike deposition testimony under seal. The parties may, at any time, move to unseal Exhibit A or B.

This the 13<sup>th</sup> day of February 2023

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